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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,143	10/17/2001	Michael R. Kluth	DC-02883	7541

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EXAMINER

DONAGHUE, LARRY D

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 04/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/982,143

Applicant(s)

KLUTH, MICHAEL R.

Examiner

Larry D. Donaghue

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4,7,9-14,21-25 and 27-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,7,9-14,21-25 and 27-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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1. Claims 1,4,7,9-14,21-25 and 27-32 are presented for examination.
2. Applicant's arguments with respect to claims 1,4,7,9-14,21-25 and 27-32 have been considered but are moot in view of the new ground(s) of rejection.
3. Applicant's amendment has overcome the rejection based on 35 USC 101.
4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1,4,7,9-14,21-25 and 27-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dickie (US 2003/0041206) in view of Kamijo et al. (6,538,880).

Regarding claim 1, Dickie anticipates the claimed invention by disclosing a system comprising:

A processor (Fig. 4);

A memory operably coupled to the processor (Fig. 4);

A case housing the processor and memory and defining a recess, the recess configured to receive an input device (Fig. 4);

An input device having a processor and a touch screen, the input device configured to removably assemble in the recess, the touch screen operable to receive user inputs, the user inputs communicated to the computer system processor and memory when the input device is assembled in the recess and communicated to the input device processor and memory when the input device is removed from the recess (Fig. 1 elem. 102 as input device; Fig. 3 elem. 204 as touchscreen);

Regarding claim 4, Dickie taught A computer program stored in the computer system memory associated with the computer comprising:

A set of instructions to provide a first decision, wherein the first decision permits data stored in the memory of the input device to be transmitted to the memory of the computer system (pars. 26-28);

A set of instructions configured to provide a second decision, wherein the second decision permits synchronization of data between the memory of a computer system and a memory of the input device (pars. 26-28).

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Dickie did not expressly teach the user inputs communicated to the computer system processor and memory as mouse button inputs when the input device is assembled in the recess, this was taught by Kamijo et al. (col. 4, lines 18-22, col. 5, lines 64 – col. 6, line 48) . It would have been obvious to combine these references for the benefit expressly suggested by Kamijo et al. (col. 6, lines 50-55).

Regarding claim 7, Dickie teaches a computer program product further comprising a set of instructions configured to synchronize data stored in the memory of the computer system with data stored in the memory of the input device upon insertion of the input device into the computer system (pars. 26-28).

Regarding claim 9, it is directed to a method of operating the system of claim 1. Since the remarks given above with respect to claim 1 apply equally to claim 9, separate reasons for rejection are not required.

Regarding claim 10, Dickie teaches an input device further comprising a digital pager (par. 3).

Regarding claim 11, Dickie teaches a method wherein inserting the input device into the computer system housing operably couples the memory of the computer system to the memory of the input device (pars. 26-28).

Regarding claim 12, Dickie teaches a method further comprising initiating synchronization of data stored in the memory of the computer system and data stored in the memory of the input device upon the connecting of the input device to the computer system (pars. 26-28).

Regarding claim 13, Dickie teaches a method wherein the input device further comprises a touch screen (Fig. 4 elem.204).

Regarding claim 14, Dickie teaches a method further comprising entering a command onto the touch screen of the input device, wherein the command is communicated from the touch screen of the input device to the computer system for execution by the computer system (pars. 26-28).

Regarding claims 21-22, they are apparatus claims directed to the input device of claim 1. Since the reasons for rejection given above with respect to claim 1 apply equally to claims 21-22, separate reasons for rejection are not necessary.

Regarding claim 23, Dickie teaches an input device further comprising an amplitude modulated radio receiver (par. 3).

Regarding claim 24, Dickie teaches an input device further comprising a frequency modulated radio receiver (par. 3).

Regarding claim 25, Dickie teaches an input device further comprising a digital pager (par. 3).

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Regarding claim 27, Dickie teaches an input device further comprising a point stick (Fig. 4 elem. 206; par. 25).

Regarding claim 28, Dickie teaches an input device wherein the input device is a PDA (Fig. 1 elem. 102).

Regarding claim 29, Dickie teaches a system wherein the memory of the input device is configured to store data in an audio format (pars. 2-4).

Regarding claim 30, Dickie teaches a method wherein inserting the input device into the recess of the computer system operably couples the memory of the computer system to the memory of the input device (pars. 26-27).

Regarding claim 31, Dickie teaches a method wherein the input device receives data from the computer system over the Internet (par. 3).

Regarding claim 32, Dickie teaches a method wherein the input device receives data from the computer system over a wireless network (par. 20).

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Following references teach similar system to the invention:

Chitturi et al.	6,489,932
Kim et al.	6,424,335
Lee	6,219,037
Huber et al.	2002/0103951

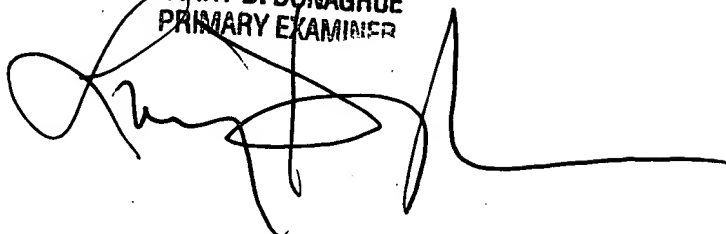
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larry D. Donaghue whose telephone number is 571-272-3962. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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LARRY D. DONAGHUE  
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "Larry D. Donaghue", written over the printed name and title. The signature is stylized with loops and a long horizontal stroke at the end.